R.Dis File No. 9(5-)

1939

Collection No.

10

19/7/47

Mas 19/7

Mysore Residency

(W)

Pros. Serial Nos. 1–6.

(19) P

Subject.

Grant of Succession Certificate in favour of Mr. V.K. Abdullah Saheb in the matter of the estate of K.M. Hassan.

Previous References.

Later References.

RDis 9 (8) 39.

1 A

16/8/46.

S. 97.—(Green).

MFP—1663 S&P—(M-2971)—24-6-38—100,000.

(5) The petitioner is not the heir of the deceased and as such he is not the proper person to apply for the succession certificate. This was explained to the Advocate of the petitioner and he promised to amend the petition suitably or to withdraw the petition after consulting his cleint. Further action may be deferred till ~~16/6/1939~~ 15-6-1939.

1639

(para 5)

2-6-39

ASRao
1.6.39

(6) As

I withdraw the above petition. I shall file fresh petition.

Advocate for petitioner
16.6.39.

(7) Please see from para 5 ante.

(8) Petitioner may be permitted to withdraw petition ~~The petition at S.N.1 may be withdrawn~~.

16.6.39

(9) (from para 7)

What happens to the Charges that have been paid by the petitioner?

ASRao
17.6.39

As

(10) Court-fees & publication charges 19.6.39.

Please see para 9. ~~Fees~~ will be refunded to the petitioner on application.

19.6.39

19.6.39

Await 19/39.

ASRao
19.6.39

As

Dy.No.6804 S.N.7.

(11)

Please see S.N.3 and para 10 of notes.

Cheque is put up for signature.

6.7.39.

(para 11)

Regr.

6.7.39

Asstt. 5-7-39

Regd

S.M.1.

1

COURT FEE ONE RUPEE

Md Hanif Advocate 12-12-38 Agent for Petitioner

A.R.M. 5.2.39

Before
~~IN THE COURT OF~~ THE HONOURABLE THE RESIDENT

IN MYSORE, BANGALORE.

R.Dis.No. F. 9(5) of 1939.

OFFICE OF THE HON'BLE THE RESIDENT IN MYSORE, BANGALORE. 6 FEB. 1939 Diary No. 1291 File No. R.D. 9(5).39

Petitioner:-

V.K. Abdullah, Saheb,
aged about 60 years,
Russell Market,
C & M Station, Bangalore.

IN THE MATTER OF SUCCESSION CERTIFICATE TO THE ESTATE OF K.M.HASSAN, DECEASED INTESTATE, LATE OF NOAH STREET, C & M STATION, BANGALORE.

APPLICATION FOR SUCCESSION CERTIFICATE.

Under Section 372 of the Indian Succession Act of 1925, the petitioner above named states as follows:-

1. That the address of the petitioner for purposes of notice etc., is as given above.

2. That K.M.Hassan died on 31st day of August 1938 at Noah Street, C & M Station Bamgalore, his permanent place being Noah Street, C & M Station, Bangalore.

3. That said K.M.Hassan, left him surviving;-

(a) Hazira Bi Bi, aged about 37 years,-Widow.
(b) Md.Ismail, aged about 21 years, Son.
(c) Ishaq, aged about 19 years, Son.
(d) Rabiya Bi, aged about 17 years, Daughter.
(e) Sakina Bi, aged about 15 years, Daughter.
(f) Zulekha Bi, aged about 13 years, Daughter.
(g) Zubeda Bi, aged about 10 years, Daughter.

(h) Zybone Bi, aged about 8 years, Daughter.

(i) Suleman, aged about 6 years, son.

(j) to (i) minor children of the deceased - represented by their mother and guardian - Hazira Bi Bi.

4. That the said K.M.Hassan, died intestate.

5. To the best of the petitioner's belief no application has been made to any court for and no grant has been made of any Certificate under the Succession Act in respect of the - debts, securities of estate of the said K.M. Hassan specified in the schedule here-under written and there is no impediment to the - grant of the certificate hereby prayed for or to the validity thereof, if granted by this Hon'ble Court.

6. The petitioner prays:-

(i) that service of notice of this petition on the heirs and legal representatives of the deceased mentioned in para 3 of this petition may be dispensed with as affidavits of their consent are filed along with this - petition.

(ii) that a certificate may be granted to the petitioner under the Indian succession Act, empowering him to collect the debts and to recover the interest and dividends on and negotiate and transfer the securities - - - specified in the schedule hereto.

(iii) for expenses of this petition to come out of the estate.

(iv) for such other reliefs as to this

~~In the Court of~~ Before the Hon'ble the Resident in Mysore, **Bangalore**

O. S. C. No.
Ex: C. M. P. No. OF 1938

PLAINTIFF
APPELLANT
PETITIONER

DEFENDANT
RESPONDENT.

V. K. Abdullah

Vs.

I/WE V. K. Abdullah do hereby appoint and retain MESSRS. MD. HANIEF, B. A., B. L., and M. N. FARUKHI, B.A., B.L., Advocates, No. 111, Lubbay Masjid Street, C. & M. Station, Bangalore, to appear for ME/US in the above SUIT/ORIGINAL/MISCELLANEOUS petition and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application for execution of any decree or order passed therein. I/WE empower MY/OUR Advocates to appear in all miscellaneous proceedings in the above suit or matter till all decrees or orders are fully satisfied or adjusted and to obtain the return of documents and draw any moneys that might be payable to ME/US in the suit or matter.

BANGALORE,
Dated, 16.1.1939.

V. K. Abdullah.

Personally known to me and signed in my presence.

Md. Haniey

Accepted

Md. Haniey
M. N. Farukhi

Advocates.

In the Court of the

C. & M. Station, Bangalore.

O. S. C. No.
Ex: C. M. P. of 193

Plaintiff
Petitioner

Vs.

Defendant
Respondent

Filed on :—

MD. HANIEF, B.A., B.L.
M. N. FARUKHI, B.A., B.L.
Advocates for the

The Kumaran Press Bangalore

Before

~~IN THE COURT OF~~ THE HON'BLE RESIDENT

IN MYSORE BANGALORE.

O.P.No. of 38.

Petitioner:-

V.K.Abdullah Saheb.

AFFIDAVIT.

I, Hazira Bi Bi, aged about 37 years, widow of the late K.M.Hassan, Noah Street C & M Station, Bangalore, solemnly state and affirm as follows:-

1. I am the widow of the late K.H.Hassan for the collect of whose assets this - - petition is filed.

2. I both on my own behalf and on behalf of my minor children named in the petition "d" to "i" have no objection to the grant of succession Certificate to the petitioner.

Sd/- Hazira Bi

Solemnly affirmed and signed before me this 22nd day of ~~November~~ December 1938, the -- contents of this affidavit having been - read and explained to the deponent in Urdu as she being unacquainted with English and admitted by her to be correct.

Municipal Commissioner

22/12/38

17

Before
~~IN THE COURT OF~~ THE HON'BLE RESIDENT
IN MYSORE, BANGALORE.

O.P.No. of 38.

Petitioner:-

V.K. Abdullah Saheb.

A F F I D A V I T.

I, Ishaq, aged about 19 years, son of the late K.M.Hassan, Noah Street, C & M Station, Bangalore, solemnly state and affirm as follows:-

1. I am the son of the late K.M.Hassan for the collect of whose assets this petition is filed.

2. I both on my own behalf, have no -- objection to the grant of Succession Certificate to the petitioner.

K.M. Eshaq

Solemnly affirmed and signed before me this 22nd day of ~~November~~ December 1938.

M. Ahmad
Municipal Commr
22/12/38

Before
~~IN THE COURT OF~~ THE HON'BLE THE RESIDENT

IN MYSORE, BANGALORE.

O.P.No. of 38.

Petitioner:-

V.K.Abdullah Saheb.

A F F I D A V I T.

I, V.K. Abdullah Saheb, aged about 60 years, son of Ismail Sahib, Basull Market, C & M Station, Bangalore, solemnly state and affirm as follows:-

1. I am the petitioner in the above case.

2. That K.M.Hassan, died leaving behind him surviving (1) Rabiya Bi, minor, aged - about 17 years; (2) Sakina Bi, minor, aged about 15 years, (3) Zulekha Bi, minor aged about 13 years, (4) Zubeda Bi, minor, aged about 10 years, (5) Zybone Bi, minor aged about 8 years, 1 to 5 daughters. (6) Suleman minor aged about 6 years, son, his minor - children by his wife Hazira Bi Bi.

3. That Hazira Bi Bi is the fittest person to act as the Guardian of the aforesaid minors, and her interest is not adverse to theirs.

V.K.Abdullah.

PETITIONER.

Solemnly affirmed and signed before me this 21st day of November 1938.

21/11/38
C.Nayar

10

Before

~~IN THE COURT OF~~ THE HON'BLE THE RESIDENT

IN MYSORE, BANGALORE.

No. of 1938.

Petitioner:- V.K. Abdullah Saheb.

I, Hazira Bi Bi, aged about 37 years, widow of the late K.M. Hassan, Noah Street, C&M Station, Bangalore, solemnly state and affirm as follows:-

1. I am the widow of the late K.M. Hassan for the collection of whose assets this - - petition is filed.

2. I am the mother of the minors (1) Rabiya Bi aged about 17 years (2) Sakina Bi aged about 15 years (3) Zulekha Bi aged about 13 years, - (4) Zubeda Bi aged about 10 years (5) Zybone Bi aged about 8 years and (6) Suleman aged - - about 6 years and I am willing to act as their guardian.

3. My interest is not adverse to theirs'.

Solemnly affirmed and signed before me this 30th day of January 1939, the contents of this affidavit having been read and explained to the deponant - in Urdu, she being unacquainted with English and admitted by her to be - correct.

x 30.1 [illegible]

Sd/. Hazira Bi

[illegible]

Municipal Commissioner

30/1/39

Mr. Paramesam.

SN.6

116

HC
24.4.39

BEFORE THE HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
R. Dis. F. 9 (5) /39.
Judl.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
24 APR. 1939
Diary No. 4205
File No. 9 (5)/39

Petitioner:- V.K. Abdullah Saheb.

30/C
gmm
31/3

Memo

The petitioner above named begs to state as follows:-

1. That the petitioner is related to the deceased K.M. Hassan as his brother.

2. That the petitioner prays that Succession Certificate to the estate of his brother the late K.M. Hassan may be granted.

Advocate for Petitioner
Bangalore.
24-4-1939.

V.K. Abdullah.
Petitioner.

the petitioner above named, declare that what is stated above is true to my - - knowledge and belief.

Bangalore.
24-4-1939.

V.K. Abdullah.
Petitioner